

# HOUSE . . . . . No. 2225

By Mr. Cabral of New Bedford, petition of Emile J. Goguen relative to requiring the installation of seat belts and establishing safety equipment standards for school buses in the Commonwealth. Public Safety and Homeland Security.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

### AN ACT ESTABLISHING SAFETY STANDARDS FOR SCHOOL BUSES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1       SECTION 1. Section 7B of the General Laws, as appearing in  
2 the 2002 Official Edition, is hereby amended by inserting, after  
3 the word, “operation” on line 71, the following: All Type I and  
4 Type II school buses that are fully operational and in service on or  
5 after January first Two Thousand and Six shall be equipped with  
6 white, flashing strobe lights. All Type I and Type II school buses  
7 that are fully operational and in service prior to January first Two  
8 Thousand Six shall be equipped with white, flashing strobe lights  
9 on or prior to January first Two Thousand and Six.

1       SECTION 2. Section 7B of chapter 90 is hereby further  
2 amended by adding after the word “seated” in line 143, the  
3 following:—  
4       “and, no later than twelve months from the effective date of this  
5 act, a three-point lap and shoulder restraint system with retracting  
6 belts which is properly adjusted and fastened according to the  
7 manufacturer’s instructions shall be worn by every child riding as  
8 a passenger in said bus, and prior to said date if such bus is  
9 equipped with a safety restraint system, no child shall ride as a  
10 passenger in such bus unless such child is wearing such restraint  
11 system which is properly adjusted and fastened according to the  
12 manufacturer’s instructions.”

1 SECTION 3. Said section 7B of chapter 90 is hereby further  
2 amended by adding after the word “year” in line 254, the  
3 following:—

4 ; (18) Every school bus may, prior to twelve months from the  
5 effective date of the act, and shall, after twelve months from the  
6 effective date of the act, be equipped with a three point lap and  
7 shoulder restraint system with retracting belts for each permanent  
8 seating accommodation approved by the National Highway Trans-  
9 portation Safety Administration and installed in compliance with  
10 the United States motor vehicle D.O.T. safety standards, which  
11 shall be fastened about each passenger at all times during vehicle  
12 operation.

1 SECTION 4. Section 7I of chapter 90 is hereby amended by  
2 adding after the word “seated” in line 5, the following:—

3 and, after twelve months from the effective date of the act, a  
4 three point shoulder and lap safety restraint system with retracting  
5 belts which is properly adjusted and fastened according to the  
6 manufacturer’s instructions shall be worn by every child riding as  
7 a passenger in said bus, and prior to said date if such bus is  
8 equipped with a safety restraint system, no child shall ride as a  
9 passenger in such bus unless such child is wearing a three point  
10 lap belt and shoulder restraint system which is properly adjusted  
11 and fastened according to the manufacturer’s instructions.

1 SECTION 5. Section 7AA of chapter 90 is hereby amended by  
2 adding in line 33 after the word “bus” the words:— “, prior to  
3 twelve months from the effective date of the act.”

1 SECTION 6. Section 4 of Chapter 175E of the General Laws is  
2 hereby amended by adding at the end thereof the following  
3 section:—

4 (f) for motor vehicle insurance rates for school buses, the com-  
5 missioner shall develop and promulgate a schedule of appropriate  
6 reductions in premium charges to account for the decreased risk of  
7 injury associated with the installation of a three-point lap and  
8 shoulder restraint system approved by the National Highway  
9 transportation Safety Administration in any such bus so equipped.  
10 Said schedule shall be implemented no later than twelve months

11 from effective date of this act and shall contemplate reductions  
12 sufficient to equal any costs associated with the installation of  
13 such a restraint system over a seven year period.

1     SECTION 7. Chapter 90 of the General Laws is hereby  
2 amended by adding the following section: Section 7DD. No claim  
3 for damages shall arise from the failure of a school bus operator to  
4 ensure that a passenger of a school bus was wearing the restraint  
5 system prescribed by sections 7B, 7I, and 7AA of chapter 90 of  
6 the General Laws, provided that instruction in the use of such  
7 system and practice in its use is provided to all existing and  
8 prospective passengers not less than every six months.

1     SECTION 8. This act shall take effect upon its passage.